

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2007- 0013**

**APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE SANTA ANA REGION (BASIN PLAN) TO ESTABLISH
A NUTRIENT TOTAL MAXIMUM DAILY LOAD (TMDL) FOR
DRY HYDROLOGICAL CONDITIONS FOR BIG BEAR LAKE**

WHEREAS:

1. The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) adopted a revised Basin Plan on March 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on July 21, 1994 and by the Office of Administrative Law (OAL) on January 24, 1995.
2. On April 21, 2006, the Santa Ana Water Board adopted Resolution No. R8-2006-0023 ([Attachment](#)) amending the Basin Plan to establish a nutrient TMDL for dry hydrological conditions for Big Bear Lake.
3. The Santa Ana Water Board found that the analysis contained in the TMDL staff report, the California Environmental Quality Act (CEQA) checklist and the response to comments comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq .
4. The Santa Ana Water Board found that the adoption of the TMDL would have no direct effect on the environment. The implementation of projects that may be conducted to implement the nutrient TMDL are expected to have less than significant impacts or less than significant impacts with application of mitigation measures on the following: air quality; biological resources; hazards and hazardous materials; hydrology and water quality; noise; aesthetic and transportation; and traffic. As projects to implement the TMDL are developed, specific environmental impact and mitigation measures to address those impacts will be subject to thorough and separate evaluation pursuant to CEQA.
5. The Santa Ana Water Board found that, provided appropriate mitigation is implemented, projects designed and conducted to achieve the TMDL are expected to have less than significant impact, either individually or cumulatively, on fish and/or wildlife species.
6. The Santa Ana Water Board found that the Basin Plan amendment will ensure the reasonable protection of the beneficial uses of surface waters within the Region and is consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
7. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of federal Clean Water Act section 303(d).

8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Santa Ana Water Board Resolution No. R3-2006-0023.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Santa Ana Water Board Resolution No. R8-2006-0023 to OAL for approval of the regulatory provisions and to USEPA for approval of the TMDL.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 3, 2007.

AYE: Tam M. Doduc
 Gary Wolff, P.E., Ph.D.
 Arthur G. Baggett, Jr.
 Charles R. Hoppin

NO: None

ABSENT: Frances Spivy-Weber

ABSTAIN: None



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Clerk to the Board